

4/13/05

AF/ 2187
IHW



Express Mail Label No.: EV 475 173 221 US
Date of Deposit: April 11, 2005

Attorney Docket No. 17564-145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jie Tang et al.
Patent No. 5,891,212
Reissue Application Serial No.: 09/827,605
Filed: April 6, 2001
For: APPARATUS AND METHOD FOR MAKING
UNIFORMLY SIZED AND SHAPED SPHERES

Examiner: George P. Wyszomierski
Art Unit: 2181

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

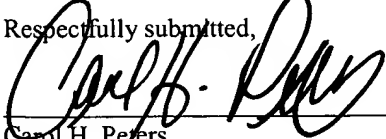
Sir:

Transmitted herewith for filing in the above identified application are the following:

- (1) Supplemental Response to final Office Action mailed April 4, 2004;
- (2) Supplemental Reissue Application Declaration By The Inventor
Pursuant to 37 C.F.R. § 1.175; and
- (3) Return Receipt Post Card.

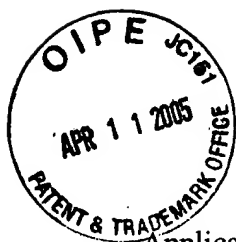
Should any of the above identified items not be include in this submission, the Office is respectfully requested to contact the undersigned.

The Commissioner is hereby authorized to charge any requisite fees required to the deposit account of the undersigned, Deposit Account No. 50-0331, referencing Attorney Docket No. 17564-145.

Respectfully submitted,

Carol H. Peters
Registration No. 45,010
Mintz, Levin, Cohn, Ferris
Glovsky and Popeo, P.C.
Attorneys for Applicant
One Financial Center
Boston, MA 02111
Telephone: 617/348-4914
Facsimile: 617/542-2241
email: cpeters@mintz.com

Date: April 11, 2005

Date of Deposit: April 11, 2005



Attorney Docket No. 17564-145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jie Tang et al.
Patent No. 5,891,212
Reissue Application Serial No.: 09/827,605
Filed: April 6, 2001
For: APPARATUS AND METHOD FOR MAKING
UNIFORMLY SIZED AND SHAPED SPHERES

Examiner: George P. Wyszomierski
Art Unit: 2181

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE TO FINAL OFFICE ACTION
MAILED OCTOBER 4, 2004

Sir:

Responsive to the final Office Action mailed October 4, 2004, Applicants submit herewith this supplemental response to respond to the issues concerning a new inventor reissue declaration.

Request for Supplemental Reissue Application Declaration

The Examiner requested Applicants provide a Supplemental Reissue Declaration under 37 C.F.R. § 1.175(b)(1) because errors in the original patent have been corrected since the filing of the last Reissue Declaration in this application. On April 4, 2005, Applicants filed a Supplemental Reissue Declaration executed by all the inventors except Mark D. Muszynski. In view of the facts before Applicants on this date, Applicants presumed that Mr. Muszynski was refusing to sign the Supplemental Reissue Declaration and, therefore, Applicants filed a Petition To Proceed in the Application By Other Than All the Inventors pursuant to 37 C.F.R. § 1.47.

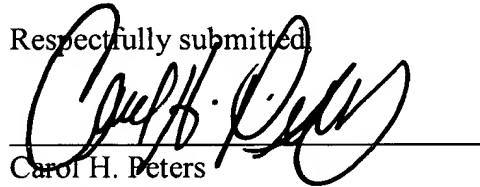
After April 4, 2005, the final statutory date for response to the above noted final Office Action, the inventor, Mr. Muszynski, contacted the undersigned to indicate that he

had received the Supplemental Reissue Declaration and reminder, which had been forwarded from his Michigan address to his Georgia address, and that he would be willing to sign the Supplemental Declaration. The undersigned received on April 11, 2005 the Supplemental Declaration executed by Mr. Muszynski.

Applicants respectfully submit that filing the Supplemental Reissue Declaration executed by Mr. Muszynski renders the above noted Petition filed on April 4, 2005 moot and respectfully requests the withdrawal of such Petition in order the inventors may proceed with all the inventors.

Based upon the foregoing, Applicants respectfully submit that they have met the requirements identified in the final Office Action and respectfully request reconsideration. The present application is believed to be in condition for allowance, and Applicants respectfully request a notice to this effect. Should the Examiner have any questions concerning this supplemental response, he is invited to telephone the undersigned at the number provided.

Respectfully submitted,



Carol H. Peters
Registration No. 45,010
Mintz, Levin, Cohn, Ferris
Glovsky and Popeo, P.C.
Attorneys for Applicant
One Financial Center
Boston, MA 02111
Telephone: 617/348-4914
Facsimile: 617/542-2241
email: cpeters@mintz.com

Date: April 11, 2005

TRA 2025461v1